

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Lee Price  
Rick Doyle  
Larry D. Lisenbee

**SUBJECT:** 2006-2007 MAYOR'S OFFICE  
BUDGET AMENDMENTS,  
HIRING FREEZE, AND  
REVISED TRAVEL POLICY

**DATE:** 7/27/06

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**COUNCIL DISTRICT:** N/A

## RECOMMENDATION

- a. Adoption of the following Appropriation Ordinance amendments in the General Fund:
  1. Establish an appropriation for the Office of the Mayor Personal Services in the amount of \$563,739;
  2. Establish an appropriation for the Office of the Mayor Non-Personal/Equipment in the amount of \$12,477;
  3. Establish an appropriation for the Office of the Mayor Independent Consultant in the amount of \$48,000;
  4. Establish an appropriation in City-Wide to the City Clerk's Office for the San José Education Foundation in the amount of \$200,000;
  5. Establish an Earmarked Reserve for the 2007 Office of the Mayor in the amount of \$117,119;
  6. Decrease the appropriation to the Mayor and City Council for the Office of the Mayor by \$941,335.
- b. Implement a hiring freeze for all Mayor's Office staff until December 31, 2006.
- c. Approval of an amendment to City Council Policy 9-5 regarding the Mayor's travel.

## OUTCOME

In order to implement recommendations approved during the June 28, 2006 Special City Council meeting, approval of these actions will place limits on the use of the 2006-2007 Mayor's Office budget and implement other conditions of the Council actions regarding availability of Mayor's Office records and travel by the Mayor through the end of December 2006.

## **EXECUTIVE SUMMARY**

With the actions recommended in this memo, the total available funding removed from the current Office of the Mayor appropriation totals \$896,995. Therefore, the funding available for the remainder of the term for the current Office of the Mayor totals \$824,216. The remaining \$779,876 from the original Office of the Mayor appropriation will be available for the next Mayor on January 1, 2007 as well as \$117,119 from carryover rebudgeted funding directed by the Council to be placed in an Earmarked Reserve and subject to Council re-appropriation in the new calendar year.

The following actions will also provide that the Mayor's Office continue to provide access to view the Mayor's calendar upon request. Additionally, the Travel Policy will be amended to provide that only the City Council may designate members of Boards and Commissions to act as an official representative of the City and that the Council is required to approve all official travel by the Mayor.

## **BACKGROUND**

At the June 28, 2006 Special Council Meeting, the City Council approved a reduction to the scope, and overall responsibility of the Mayor's Office until December 31, 2006 by approving the following measures related to the 2006-2007 Adopted Budget:

1. Restrict overall appropriation to the Mayor's Office to:
  - a. Fund personnel services costs at amounts not to exceed current levels as of July 1, 2006.
  - b. Restrict non personnel costs to 10% of 2005-2006 Non-Personnel/Equipment expenditures until January 2007.
  - c. Freeze the number of full-time equivalent (FTE) positions according to the current composition.
  - d. Hold in reserve the proposed Mayor's Office rebudget that was not already approved and re-appropriate those funds in January 2007.
2. Make publicly accessible the Mayor's calendar and/or require a procedure whereby phone and meeting logs must be publicly maintained for the Mayor's Office.
3. Direct the City Attorney to bring back in August, an amendment to the Council Travel Policy to restrict the Mayor's travel without Council consent.

## **ANALYSIS**

On June 28, 2006, the City Council approved a number of actions regarding the Mayor's Office. Included were limitations regarding the 2006-2007 Mayor's Office budget as well as restrictions



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on hiring and travel. As recommended above, various Appropriation Ordinance amendments are necessary in order to implement the City Council direction given on June 28, 2006. Prior to the approval of this direction, the Mayor's Office had funding allocated in two appropriations: Personal Services and Non-Personal/Equipment expenditures allocated in the Office of the Mayor appropriation totaling \$1,721,211; and staff and office-wide Non-Personal/Equipment funding allocated in the Council General appropriation.

#### Personal Services

Calculations for the limitation amounts for Personal Services are detailed in Attachment A. The calculation is based on the actual Mayor's Office personnel level as of the June 28, 2006, salaries of those personnel as of June 28, 2006, and cost of living adjustments of 3.75% for most employees which were approved by the City Council effective July 3, 2006. As discussed during the City Council meeting, these cost-of-living adjustments are factored into this calculation. In addition, it should be noted that the Mayor's Office personnel as of that date included a temporary employee which had been hired to backfill for a vacant unclassified Council Assistant position. Funding for that temporary position is included as part of the Personal Services calculation in order to maintain the staffing composition, according to the Council-approved direction to freeze the number of positions as of June 28, 2006. It should be noted that this temporary position was not staffed in July, however, it is anticipated that this position may be filled in August. Lastly, the calculation for Unclassified positions listed on Attachment A assumes no merit based "step" increases will occur before December 31, 2006.

#### Non-Personal/Equipment

The Non-Personal/Equipment appropriation was calculated based on City Council direction to limit the amount to 10% of actual 2005-2006 Non-Personal/Equipment expenditures of \$124,765.38 detailed in Attachment B. This information was derived from information from the City's Financial Management System (FMS) through June 30, 2006, however, data was extracted on July 19, 2006, before the completion of the final financial closing process for fiscal year 2005-2006. (Because the closing process is still in progress, it should be noted that actual expenditures may change slightly over the next month. It is not expected, however, that the final expenditure numbers will change in a material way.) Verification of these amounts was completed by the City Clerk's Office. As a result, per City Council direction, the establishment of a separate, reduced Mayor's Office Non-Personal/Equipment appropriation of \$12,477, or 10% of actual 2005-2006 Non-Personal/Equipment expenditures (less the cost of an independent contractor as noted below), is recommended as part of this memo.

It should be noted, however, that encumbered funds from prior years, including 2005-2006, were excluded as part of the cost basis for the calculation of the 2006-2007 Non-Personal/Equipment budget. Because of potential legal and/or contractual obligations when these funds were committed, a limitation of existing obligations to the 10% level would require a renegotiation or cancellation of contracts which may obligate the City to financial penalties.



In addition, a separate appropriation of \$48,000 is recommended to be established in this memo to correctly fund an independent contractor considered as part of the Mayor's personnel complement, under contract between December 2005 and December 2006. An agreement was entered between the City and the independent consultant to perform various tasks which may include, but is not limited to the following: advise on intergovernmental projects, consult on communications projects, travel and/or act as representative of the Mayor's Office on behalf of the Mayor, advise and provide consultation to the Secretary to the Mayor and Acting Chief of Staff on office management and staffing supervision issues. Since these services were under contract at the time the City Council approved restrictions to the Mayor's Office budget, and to ensure the staffing composition remains frozen based on the direction the Council approved on June 28, 2006, these costs have been considered separately from the 10% Non-Personal/Equipment restriction.

Rebudgets totaling \$317,119 were approved by the City Council as part of the 2006-2007 Adopted Operating Budget on June 27, 2006. As reconfirmed by Council during the June 28, 2006 Special Council Meeting, only a portion of these unexpended 2005-2006 funds are recommended to remain available. An appropriation for a challenge grant in the amount of \$200,000 to the San José Education Foundation, as originally approved by Council on June 27, 2006, is recommended to be separated from the Mayor's Office budget and reallocated to the City Clerk's Office as part of this document. The remaining balance in the amount of \$117,119 is to be placed in an Earmarked Reserve, based on Council direction, for re-appropriation in January 2007.

#### Council General

The budget for Council General includes funding for the following:

1. Mayor's Office staff (Classified employees—four of five currently filled, one with a temporary employee) salary and benefits
2. Benefit costs for Mayor's Assistants and the Professional Development Program (PDP)
3. Mayor's vehicle allowance
4. Mayor's salary and benefits
5. Council Member staff (Classified) salary and benefits
6. Benefit costs for Council Members Assistants and PDP
7. Council Members vehicle allowance
8. Council Members salary and benefits
9. Non-Personal/Equipment – office-wide costs including equipment rental (copy machine lease and maintenance, etc.) and supplies and materials

Currently, Council General funding is shared between the Mayor's Office and City Council. A portion of this appropriation includes a \$75,000 allocation for expenses such as joint office-wide materials, as described above. Non-Personal/Equipment expenditures specific to the Mayor's Office are funded out of the Mayor's Office appropriation. The City Clerk's Office will continue to monitor these costs in order to ensure the Council-approved direction to restrict Mayor's Office Non-Personal/Equipment expenditures is followed.



In addition, Council approved a freeze on the number of full-time equivalent (FTEs) employees in the Mayor's Office, based on the staff composition as of June 28, 2006. This hiring freeze will be monitored by the City Clerk. A listing of Mayor's Office positions are detailed in Attachment C.

#### Total Revised Mayor's Office Budget

The table below details a funding summary of the changes recommended in this memo. The 2006-2007 Adopted Budget for the Office of the Mayor totaled \$1,721,211. As noted above, with the actions recommended in this memo, the total available funding removed from the current Office of the Mayor appropriation totals \$896,995. Therefore, the funding available for the remainder of the term for the current Office of the Mayor totals \$824,216. The remaining \$779,876 from the original Office of the Mayor appropriation will be available for the next Mayor on January 1, 2007 as well as \$117,119 from carryover rebudgeted funding directed by the Council to be placed in an Earmarked Reserve and subject to Council re-appropriation in the new calendar year.

It should be noted that funding allocated in the Council General appropriation is shared office-wide. Personal Services funding for the Mayor's Office staff and benefits paid from the Council General appropriation (positions detailed in Attachment C) will be restricted to the salaries and benefits costs as of July 1, 2006 and any contractual obligated cost-of living increases. Because no actions are recommended for the Council General appropriation, any fiscal impact of the hiring freeze that may affect positions funded through the Council General appropriation are not reflected in the table below.

#### **Fiscal Impact of Recommended Actions to the Office of the Mayor**

Appropriation	2006-2007 Adopted Budget	With Recommended Changes
Office of the Mayor	\$ 1,721,211	\$ 779,876*
Personal Services	N/A	563,739
Non-Personal/Equipment	N/A	12,477
Independent Consultant	N/A	48,000
San José Education Foundation	N/A	200,000
Earmarked Reserve	N/A	117,119**
Available funding for the current Office of the Mayor	1,721,211	824,216
<b>Total available funding removed from the current Office of the Mayor appropriation</b>	<b>N/A</b>	<b>896,995</b>

\* Available for Mayor's Office on January 1, 2007.

\*\* Available for Mayor's Office after January 1, 2007 subject to re-appropriation of funds.

### Phone and Meeting Logs

At the meeting of June 28th, the Council's motion included direction to make publicly accessible the Mayor's calendar and/or require a procedure whereby phone and meeting logs must be strictly kept and publicly maintained for the Mayor's Office. The Mayor's Office has, and will continue to, provide access to view the Mayor's calendar upon request. The Mayor's Office, in a recent conversation with the City Clerk reiterated that it does not maintain any type of telephone log, and therefore, there is not, nor has there ever been, any log to make publicly available.

### Amendment to Council Travel Policy

City Council Policy No. 9-5 regulates official travel by elected and appointed City officials. Proposed changes to the Council Travel Policy in accordance with Council direction are as follows:

- a. Section 4 entitled Official City Representative (page 2) is amended to provide that only the City Council may designate one or more Councilmembers or members of Boards or Commissions to act as the official representative of the City of San José
- b. Section 5 entitled Travel Approval (page 2) is amended to require that all out-of-state travel of an official nature by the Mayor, even if taken at no expense to the City, must be approved by Council.

The Council Travel Policy with these proposed changes is attached to this memorandum as Attachment D.

### POLICY ALTERNATIVES

Not applicable.

### PUBLIC OUTREACH/INTEREST

- ☐ **Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater; **(Required: Website Posting)**
- ☐ **Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- ☐ **Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**



Although, this item does not meet any of these criteria, this memo will be posted on-line for the August 8, 2006 Council meeting.

**COORDINATION**

Not applicable.

**FISCAL/POLICY ALIGNMENT**

Not applicable.

**COST SUMMARY/IMPLICATIONS**

There is no cost implication to the overall 2006-2007 Adopted Budget. There are, however, limitations established on the Mayor's Office regarding the use of the budget amounts during the year.

**BUDGET REFERENCE**

Fund #	Appn #	Appn. Name	RC #	Total Appn	Amt. for Contract	2006-2007 Proposed Operating Budget*	Last Budget Action (Date, Ord. No.)
001	0220	Council General		\$4,108,619	N/A	Page VIII-82	N/A
001	0210	Office of the Mayor		\$1,721,211	N/A	Page VIII-82	N/A

\* The Proposed Operating Budget was approved by the City Council on June 27, 2006.

**CEQA**

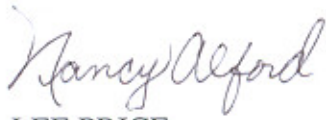
Not applicable.

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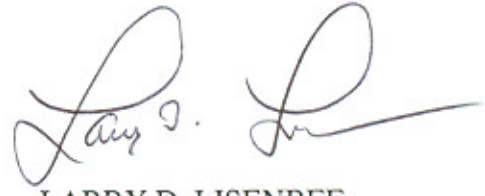
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*for* LEE PRICE  
City Clerk



RICK DOYLE  
City Attorney



LARRY D. LISENBEE  
Budget Director

For questions please contact Lee Price at 408-535-1252, Rick Doyle at 408-535-1900, or Larry D. Lisenbee, at 408-535-8144.



**Attachment A**  
**2006-2007 Mayor's Office Personal Services**

**Personal Services**

(Salary costs only; benefits and other fringe costs are budgeted separately in the Council General appropriation)

	Filled / Vacant At 6/28/06	2005-2006	2006- 2007 COLA	2006-2007	% YTD per Pay Period Close Schedule (12/30/06)	Personal Services Budget through 12/30/06
Council Assistant I U	Filled	\$ 36,754	3.75%	\$ 38,132	50.10%	\$ 19,104
Council Assistant I U	Filled	36,754	3.75%	38,132	50.10%	19,104
Council Assistant II U	Filled	60,403	3.75%	62,668	50.10%	31,397
Council Assistant II U	Filled	48,589	3.75%	50,411	50.10%	25,256
Council Assistant II U	Filled	50,003	3.75%	51,878	50.10%	25,991
Council Assistant II U	Filled	46,800	3.75%	48,555	50.10%	24,326
Mayor's Executive Officer	Filled	112,278	3.75%	116,488	50.10%	58,360
Mayor's Executive Officer	Filled	108,493	3.75%	112,561	50.10%	56,393
Senior Council Assistant U	Filled	73,320	3.75%	76,070	50.10%	38,111
Senior Council Assistant U	Filled	63,086	3.75%	65,452	50.10%	32,791
Senior Council Assistant U	Filled	84,906	3.75%	88,090	50.10%	44,133
Senior Council Assistant U	Filled	92,872	3.75%	96,355	50.10%	48,274
Senior Council Assistant U	Filled	95,014	3.75%	98,577	50.10%	49,387
Senior Council Assistant U	Filled	64,480	3.75%	66,898	50.10%	33,516
Contract RDA Employee *	Filled	90,560	0.00%	90,560	50.10%	45,371
Part-Time Temp Pool	Filled	23,520	3.75%	24,402	50.10%	12,225
Total Staffing		<u>\$ 1,087,832</u>		<u>\$ 1,125,229</u>		<u>\$ 563,739</u>

\* Not subject to 3.75% COLA.

**Attachment B**  
**2005-2006 Mayor's Office Actual Non-Personal/Equipment Expenditures**  
**Through June 30, 2006 (before final close, as of July 19, 2006)**

<b>Detail</b>	<b>Description</b>	<b>Expenditure</b>
4030	Supplies	\$ 18,184.31
4031	Stores	3,862.00
4032	Communications	3,052.06
4033	Postage	35.00
4034	Printing	26,908.98
4040	Equipment Rental	4,821.88
4042	Local Travel	3,639.98
4043	In-State Travel	2,132.29
4044	Out-of-State Travel	25,218.28
4049	Vehicle leases	350.00
4050	Dues/Subscriptions	1,480.40
4051	Data Processing	6,573.45
4052	Professional Services	61,756.75
4064	Grants	10,000.00
Subtotal		\$ 168,015.38
Exclude Independent Consultant*		(43,250.00)
Total Expenditures		\$ 124,765.38

\* Appropriated separately based on Council direction to ensure the staffing composition remains frozen as of June 28, 2006. These services were under contract at the time the City Council approved restrictions to the Mayor's Office budget.



**Attachment C**  
**2006-2007 Mayor's Office - Council General Staffing Budget**

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**Mayor's Office Positions Funded in Council General**

(Salary costs only; benefits and other fringe costs are budgeted separately in the Council General appropriation)

						Mayor's Office - Council General Personal Services Budget through 12/30/06
	Filled / Vacant At 6/28/06	2005-2006	2006-2007 COLA	2006-2007	% YTD per Pay Period Close Schedule	
Office Specialist II	Vacant	40,284	3.75%	41,795	0.00%	-
Staff Technician (Temp)*	Filled	42,115	3.75%	43,694	50.10%	21,891
Senior Office Specialist	Filled	51,397	3.75%	53,324	50.10%	26,715
Secretary to the Mayor	Filled	66,664	2.89% **	68,593	50.10%	34,365
Office Specialist II	Filled	51,397	3.75%	53,324	50.10%	26,715
Total Classified Staffing		<u>\$ 251,857</u>		<u>\$ 260,730</u>		<u>\$ 109,686</u>

\* Backfilled by an Office Specialist II

\*\*3.75% COLA Effective September 24, 2006.

## Attachment D

### CITY OF SAN JOSE, CALIFORNIA

#### CITY COUNCIL POLICY NO. 9-5

#### BACKGROUND

Council policy to regulate official travel by elected and appointed City officials was established by Council action on October 10, 1972. Subsequently, at the Council Meeting of June 3, 1980, Council directed that this Policy Statement be reviewed and amended as necessary to accommodate the anticipated increase in Council membership resulting from establishment of Council Districts and the changed economic conditions affecting the City which have transpired since this statement was first ordained. On October 7, 1980 Council directed that the revised Policy include reference to applicable portions of Ordinance No. 20366. In 1989 the Policy was amended to add several changes, including the reimbursement of child care expenses, and to make it clearer and more concise. In 1997, the Policy was amended to address travel by Mayoral and Council unclassified or contractual staff. There have been other changes from time to time, but no changes since 1997.

#### PURPOSE

To establish City policy and prescribe guidelines applicable to official travel by elected City officials and their staff, and appointed City officials.

#### SCOPE

This policy Statement and travel guidelines apply to the Mayor, to Members of the Council, to staff of the Mayor and Councilmembers, to active members of Boards and Commissions and Committees established by Charter or created by Council, and to Council Appointees. Travel by City Officials and employees other than those specified under this Policy Statement shall be administered and regulated by the City Manager pursuant to the City's Administrative Manual, Chapter 141.

1. **Public Purpose:** Travel by City officers and employees is an appropriate activity and expense when performed for a public purpose. Requests for travel shall be limited to events from which the City derives specific benefits through attendance of a City representative(s), and shall be supported, if needed, by travel brochures, official notifications or other documentation to help Council in considering the travel request.
2. **Expense Reimbursement:** The Mayor, the Mayor's staff, Council Members and their staff, members of City Boards, Commissions and Committees and Council Appointees may be authorized to undertake official travel and be reimbursed by



the City for all reasonable and necessary expenses incurred while traveling on City business, subject to the provisions and guidelines prescribed in this Policy Statement and in accordance with applicable provisions in Chapters 4.28 and 12.08 of the San Jose Municipal Code.

3. **Child Care Reimbursement**

- A. Where in-state or out-of-state travel creates the need for child care, the City will reimburse child care expenses. Expenses may be incurred locally or at the point of destination.
- B. The reimbursement maximum may not exceed \$5.00 per hour, per child. The total daily maximum is \$80.00 unless special circumstances, e.g., more than one child, dictate otherwise.
- C. The claim for reimbursement must be supported by signed child care provider receipts, which should be submitted with the completed Statement of Travel Expenses.
- D. Reimbursement will likely be treated as income by the Internal Revenue Service. The City will not withhold any taxes from the reimbursement.
- E. The reimbursement maximum may be increased annually, based on the San Jose Consumer Price Index (CPI) beginning July 1, 1991. The Child Care Coordinator shall advise the City Clerk of annual changes to the reimbursement maximum. The City Clerk will amend the Council Policy Manual as necessary.

4. **Official City Representative:** When travel to a conference, convention or other similar event is authorized and undertaken for municipal purposes, one or more Council Members or members of City Boards, Commissions and Committees shall be specifically designated by the City Council or Board/Commission/Committee Chair to act as the official representatives of the City of San Jose.

5. **Travel Approval:** Except as noted below, all out-of-state travel of an official nature, even if taken at no expense to the City, must be approved by Council.

- A. Council approval is not required for travel of Council Members made necessary by standing Council assignments. Travel taken under these conditions without Council approval should be limited to regularly scheduled or specially convened meetings of an official nature. The Mayor and Council Offices should be notified of impending or anticipated travel which is not being submitted for Council approval under this provision.



- B. Less than a quorum shall usually be the maximum number of Council Members to receive approval for travel at any one time. When a quorum or more of Council Members are requesting approval for travel at the same time, the requests shall be considered together as a group and Council Meetings shall be canceled if necessary as a result of such approvals.
  - C. The Council hereby approves all official travel for which funds are budgeted for the Council Members, and Council Appointees, without separate approval required for Council Members, to meetings of: The U S. Conference of Mayors; National League of Cities and its Committees; League of California Cities and its Committees; and other committees to which appointment is made by the Mayor and/or Council. Council approval is required for all official travel by the Mayor.
  - C. Notwithstanding other provisions contained in this Policy Statement, the Mayor may recommend and Council shall consider revocation or disapproval of travel by Council Members if necessary in order to assure that a quorum is present at regularly scheduled Council Meetings.
6. **Board, Commission and Committee Members:** Travel by members of City Boards, Commissions and Committees which is out of state or exceeds one day in duration shall require Council approval. This approval will take place via the annual budget process. Proposed local, in-state and out-of-state travel should be identified and separately budgeted in the annual budget document by the City department responsible for the Board, Commission or Committee. Travel proposals which arise after the adoption of the budget shall be submitted to the Rules Committee prior to submittal to the City Council. These proposals will include a funding source for the proposed travel.
7. **Council Staff Travel:** The Mayor or Councilmember will review and approve all local, in-state and out-of-state travel by their office staff, whether such assistant is a member of the unclassified civil service or a contract employee, provided funds have been budgeted within the Mayor or Councilmember's own Office Budget.
8. **Funding of Council Travel Activities:** The Mayor and Councilmembers' and their staff's travel activities for public purposes which are beneficial to the City may take many forms. The list below gives criteria for deciding which type of Council travel activity should be funded from what source.

#### **Funding Alternatives :**

- A. **Non-City funds:** Non-City funds, e.g., personal or contributed funds, are always a funding alternative. The use of contributed funds requires a Council Resolution.



- B. **Mayor's Office Budget:** All Mayor's travel and Mayor's staff travel. If activity is requested by the Administration - Manager, Department or Office of Economic Development Budget.
- C. **Council Office Budgets:**
- (1) International Travel (Economic Development Budget if so requested by Administration) and all Conferences where Council Member is a delegate, presenter, participant or attendee except for Annual Conferences of the League of California Cities and the National League of Cities.
  - (2) Leadership position or membership on any local or regional organization or committee.
  - (3) All Council Staff travel, except as noted under Council General below.
- D. **Council General Budget,** subject to the availability of funds as allocated by the Finance Committee each year.
- (1) Leadership position (Officer, Steering Committee, Executive Board, Policy Committee) of any international, national or state association of governments.
  - (2) Testifying/Lobbying at state or federal level (Department or Manager's Office budgets if so requested by Administration for a specific project.)
  - (3) Other international, national or state organizations as specifically approved by the Rules Committee.
  - (4) Mayor and Council staff support of leadership position in an organization eligible for Council General funding.
9. The Mayor and Council Members will establish their Office travel budget with information/schedules currently available for the upcoming fiscal year during the annual budget process. The Finance Committee will make recommendations regarding the amount to be budgeted for Council General travel during the normal budget cycle and forward those recommendations to the Mayor for inclusion in the annual budget process.
10. Travel proposals which require Council approval will include justification and identify the funding source if other than the Office Budget of the Mayor or Councilmember. Those members proposing to use Council General Funds shall submit their travel proposal, including justification, to the Rules Committee for

approval. The following guidelines should be used by the Rules Committee when reviewing travel requests proposing to use Council General monies:

- A. Travel is consistent with current adopted budget priorities
- B. Travel is consistent with current adopted legislative priorities
- C. Clear monetary benefit must be evident, i.e., testifying regarding legislation that could have an impact on the City's revenues (i.e., SB 2557), as well as legislation that may enhance the City's fiscal integrity.
- D. Revenue enhancement opportunity clearly attainable.
- E. Travel must be related to the Mayor or Council Members' roles or duties, i.e., Standing Committee assignment, liaison assignment, task force assignment, etc.
- F. If there are multiple requests to testify/lobby on the same issue, justification must be given for the appropriate number needed to testify.
- G. Discretion given to the Rules Committee to safeguard that all available Council General monies for a given fiscal year not be spent on one trip or by any one Council Member.

For those proposals asking for Council General funding, the City Clerk's Office will add a statement of how much uncommitted Council General travel budget remains and how much year-to-date each Member has used of the Council General travel budget.

- 11. **Accountability and Authority:** The Council is the responsible authority.
- 12. **Procedures:** The following procedures apply to travel by elected City officials and their staff, and appointed City officials.
  - A. An advance of funds for anticipated travel expenses shall be granted upon submission of a "Request for Advance of Funds" to the Director of Finance.
  - B. Reimbursement for actual expenses incurred in travel, which meet the conditions defined in this Policy Statement shall be granted upon submission of a Statement of Travel Expenses to the Director of Finance within fifteen working days of return. Receipts for the following expenses must be included:
    - (1) Transportation (public carrier)



- (2) Hotel
  - (3) Registration
  - (4) Meals
  - (5) Child Care
  - (6) Other reasonable and necessary expenses, e.g., car rental when necessary.
- C. Generally, reimbursement for hotel rooms shall be limited to single-room accommodations. The Mayor shall be authorized one-bedroom suite accommodations whenever deemed necessary for the benefit of the City.
- D. Travel expenses not generally considered reasonable and necessary shall not be reimbursable. These include, but are not limited to:
- (1) Fines for traffic violations
  - (2) Dry cleaning and laundry expenses
  - (3) Non-business transportation expenses
  - (4) Expenses for spouses, other family members or unauthorized guests
  - (5) Non-business related telephone calls
  - (6) Entertainment expenses, unless the entertainment serves a municipal purpose.
- E. Travel and related expenses may constitute a gift prohibited by Chapter 12.08 of the San Jose Municipal Code unless authorized by a majority of the Council. This policy shall be interpreted in accordance with said chapter of the Municipal Code. Any request for Council approval of travel which would constitute a prohibited gift in the absence of Council approval shall be supported by travel brochures, official notifications or other documentation to help Council in considering the travel request.
- F. When traveling on official City business by scheduled air carrier, use of the San Jose International Airport as the origin and destination point shall be mandatory unless:
- (1) Scheduled air carrier service to or from the destination is not available from San Jose International Airport; or

- (2) There is more than a one and one-half hour scheduled layover at any intermediate airport before reaching the final destination from flights arriving or departing from San Jose International Airport compared to flights arriving or departing from other Bay Area airports.

G. The Mayor, Council Members, their staff, members of Boards, Commissions and Committees and Council Appointees may be asked to submit or present to Council a report on the results of their travel within fifteen working days of their return to San Jose. When funding is allocated from the Council General Fund, the Mayor and Council Members are required to submit or present to Council a report on the results of their travel within fifteen working days of their return to San Jose.

The report may include, but in no way be limited to:

- (1) A listing of any workshops, seminars, presentations, speeches or other sessions attended with descriptions of information gathered;
- (2) A listing of any presentations made with a description of information presented;
- (3) A listing of individuals or groups with whom the Council Member or Mayor met while traveling including subjects addressed at the meeting and any outcome of the meeting.